

To the Members of the California State Assembly:

I am returning Assembly Bill 749 without my signature.

I share the author's concerns for protecting our marine resources. Protecting our environment, natural resources, and our oceans has been a top priority of my Administration. California has been a leader in protecting our oceans and marine resources and true to that tradition, last year I signed legislation creating the Ocean Protection Council, regulating and restricting bottom trawling, and eliminating the discharge of sewer, gray water and trash from cruise ships.

This bill has several meritorious elements such as extending the sunset on the provisions creating a "limited entry" fishery, establishment of the Dungeness Crab Advisory Committee, and after the initial arbitrary trap limit expires, vesting the Fish and Game Commission with additional management powers. However, one of the principal tasks of the Fish and Game Commission is the regulation and management of our State's fisheries. This bill creates an arbitrary per boat trap limit just for one district through legislation. Such an effort should not be made without significant scientific and biological analysis, public discussion and consideration of alternatives. That is the role of the Fish and Game Commission.

In my veto message of a similar bill by the same author last year, I encouraged the Legislature to vest the Fish and Game Commission with additional authority to manage the Dungeness crab fishery. The Fish and Game Commission's existing authority over the Dungeness crab fishery is limited to establishing season dates, male only permitted harvest, and size. There is no evidence these management practices are not working to create a sustainable commercial fishery.

I look forward to working with the Legislature on a bill that vests the Fish and Game Commission with additional powers to manage the fishery without the arbitrary trap limits contained in this measure.

Sincerely,

Arnold Schwarzenegger